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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,185	08/20/2003	Paul Harris	21295.57(H5653US)	5557
29127	7590	01/07/2009	EXAMINER	
HOUSTON ELISEEVA 4 MILITIA DRIVE, SUITE 4 LEXINGTON, MA 02421				PRAKASAM, RAMYA G
ART UNIT		PAPER NUMBER		
3651				
MAIL DATE		DELIVERY MODE		
01/07/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/644,185	HARRIS ET AL.	
	Examiner	Art Unit	
	RAMYA G. PRAKASAM	3651	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 16 October 2008.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-53 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

1. The amendment filed on 10/16/2008 has been entered.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior office action.

Claim Rejections - 35 USC § 102

3. Claims 1-52 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Nakamura (US Patent No. 6,236,904).

Nakamura discloses a substrate loading and unloading apparatus comprising a substrate holder with a substrate support table and locating means co-operable with the table (See Figure 1 and Column 3, lines 59-67 and Column 4, lines 1-12),, a vacuum vessel defining a loading and unloading chamber with a transfer port (See Column 3, lines 59-67 and Column 4, lines 1-12). which is communicable in use with an evacuated region, and release means for withholding cooperation of the locating means and the table (See Figure 1) and providing a temporary substrate support clear of the table (See Figure 1).

Re Claims 2 -6: the locating means comprises resilient means to cause a supported substrate to be biased towards the table and defines a reference plane (sensor), where the reference plan is defined by three spaced apart contact points (See Column 3, lines 59-67 and Column 4, lines 1-12).

Re Claims 9-17: the apparatus has a release means comprising a displacing means with at least one displacing member movable to engage and depress the table (See Figure 2 and Column 4, lines 15-32), comprising a pusher and drive means.

Re Claims 18-42 and 46-53: Apparatus contains a temporary support means (1) movable upwardly through passage means in the table (See figure 4). The temporary support means comprises at least 3 support pins.

Re Claim 43: apparatus contains a transfer port (See Column 3, lines 59-67 and Column 4, lines 1-12).

Re Claim 44: vessel is substantially boxed shaped (See Figures)

Re Claim 45: apparatus is constructed as a module attached to a substrate processing machine (See Figures)

4. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura in view of Tanigawa (U.S. Patent Application No. 2001/0022930).

Nakamura discloses all claimed limitations except for the use of a strong as a resilient mounting means. Tanigawa utilizes a spring (41) as a resilient mounting means for the purpose of holding a carrier containing a substrate (See Paragraphs 102 – 103). It would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify Nakamura by utilizing a spring as a resilient mounting means for the purpose of holding a carrier containing a substrate.

5. Claim 53 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura in view of Hassan (US Patent No. 3,968,885)

Nakamura discloses all claimed limitations, except for the use of the apparatus in an electron beam-pattern writing machine. Hassan discloses the use of a substrate loading and unloading apparatus in a vacuum chamber in an electron beam-pattern writing machine (See Abstract) for the purpose of pattern writing without affecting the vacuum level in the chamber. It

would have been obvious to a person of ordinary skill in the art at the time of applicants invention to modify Nakamura by utilizing a substrate loading and unloading apparatus in a vacuum chamber in an electron beam-pattern writing machine for the purpose of pattern writing without affecting the vacuum level in the chamber.

Response to Arguments

6. Applicant's arguments filed on 10/16/2008 have been fully considered but they are not persuasive.

With regards to applicant's argument that Nakamura does not disclose a vacuum vessel, 'vessel' can be defined as an agent of some quality (such as an agent of vacuum suction). WEBSTERS II DICTIONARY 779 (3rd ed. 2005). Therefore, it is clear that a vacuum vessel does in fact exist in Nakamura. This vessel is able to provide a vacuum environment in that it provides a vacuum attraction for the wafer. Applicant's claim does not provide for an entire vacuum chamber, only for a vacuum vessel able to provide a vacuum environment.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., that the release means be something that switches off the vacuum attraction of the substrate onto the arm) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Therefore, the claims stand rejected.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAMYA G. PRAKASAM whose telephone number is (571)272-6011. The examiner can normally be reached on Monday - Thursday, 8:30am-7pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gene Crawford/
Supervisory Patent Examiner, Art Unit
3651

1/5/2008
RGP